

## LANDLORDS EXHIBIT COMPROMISE SIGNS

May Give Concession Based  
on Undermyer's Comment  
on Court Decision.

WOULD END LITIGATION

Drop From 10 Per Cent. to 8  
or Even 7 May Be the  
Rental Basis.

TEST SUIT TO BE STARTED

Ex-Justice Richards, Counsel  
for Owners, Issues Statement  
on Conciliation.

First evidence of a capitulation by landlords who sought to take advantage of the ruling of the Appellate Division of the Supreme Court, Second Department, that a return of 10 per cent. on the total value of the property was reasonable was seen yesterday. An important element on the landlord's side of the controversy is ready to make a concession and fix rentals on a basis of a return of 8 per cent., and there were indications that a further concession to 7 per cent. might be acceptable to the Lockwood legislative committee, representing the tenants, and be the means of obviating long litigation and at the same time clear the court calendars of long lists of rent cases now pending.

As a result of Samuel Undermyer's opinion, filed with the Lockwood committee, that a return of 10 per cent. on the total value of the property was "oppressive" and "intolerable," former Municipal Court Justice Edward A. Richards, counsel for the landlords in the action resulting in the ruling, suggested that the landlords, to avoid further litigation and regain control of their properties, accept a return of 8 per cent. on the total value. This would mean a reduction of 20 per cent. from the maximum rental approved by the Appellate Division. Mr. Undermyer held that a return of 10 per cent. upon the landlord's equity in his property was reasonable, but that the same return on the total value of the property would, in most cases, mean a return to the landlords from 16 to 30 per cent.

**Figuring Upon Concessions.**  
Mr. Richards in his statement said: "Mr. Undermyer conceded that 10 per cent. upon the equity was proper. By the equity he means the difference between the amount of the mortgage and the market value of the property. If I am correct in this assumption then the landlord, even under the concession of the Lockwood committee, is entitled to about 8 per cent. of the equity, which is about five tenths to every landlord on a jury." Mr. Richards said, "so when the landlord sues for an increase he has a presumption against him."

"The present law which makes rent presumptively unjust and unreasonable just because it has been increased is well nigh ridiculous and is the law that is giving rise to so much litigation. Tenants have got the impression that it is unlawful for a landlord to increase rents."

"The Lockwood committee has asked us to submit a test case to the Appellate Division. This test case will not involve the proposition of whether the rent heretofore paid for was fair, or that is now conceded. The new case will determine whether or not an increased rent asked after October 1 is just and proper."

**Preparing for the Test Case.**

The legal staff of the Lockwood committee was busy yesterday in the preparation of the test case designed to determine what percentage of return on housing property may be deemed fair and just. Members of the committee said last night that Mr. Richards's suggestion was a sign of uneasiness on the part of the landlords regarding the merits of their case, and there were reasons also to believe that the landlords of office buildings and hotels were likewise experiencing difficulty in finding one of their number willing to go through with a test case to determine the question.

Senator Charles C. Lockwood and the other members of the committee, while refraining from comment until they have

## President Calls on Nation for Prayer of Two Minutes at Noon Armistice Day

WASHINGTON, Sept. 30.—President Harding to-day issued this proclamation:

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, A PROCLAMATION:

Whereas, the Congress of the United States by a concurrent resolution adopted on the fourth day of March last authorized the Secretary of War to cause to be brought to the United States the body of an American, who was a member of the American expeditionary forces in Europe who lost his life during the world war and whose identity has not been established, for burial in the memorial amphitheatre of the national cemetery at Arlington, Virginia;

And, whereas, the remains of this unknown American to be brought to the United States in pursuance of the said concurrent resolution will be buried in the said memorial amphitheatre at Arlington on the 11th day of November next;

And, whereas, these remains will be representative of all unidentified American dead who in the world war gave their lives in their country's cause;

And, whereas, it is desired that grateful recognition of their loyal devotion to country and of their sacrifice should be appropriately shown with due solemnity by their God fearing and patriotic countrymen;

Now, therefore, I, Warren G. Harding, President of the United States of America, do hereby call upon all devout and patriotic citizens of the United States to pause from their accustomed occupations and labors on Friday, the 11th day of November next, from 12 o'clock noon to two minutes past that hour for a period of silent prayer of thanks to the giver of all good for these valuable and valorous lives and of supplication for His divine mercy and for His blessings upon our beloved country.

Furthermore, I hereby direct that the national flag be displayed at half staff upon all the public buildings of the United States and all stations of the army, navy and marine corps throughout the world as well as upon all American embassies, legations and consulates from sunrise until sunset on November 11, 1921.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed. Done in the District of Columbia this thirtieth day of September in the year of our Lord, one thousand nine hundred and twenty-one, and of the independence of the United States of America, the one hundred and forty-sixth.

WARREN G. HARDING.

By the President,  
CHARLES E. HUGHES, Secretary of State.

seen the Richards statement, were strongly of the opinion that while the evident reluctance on the part of landlords to go into court might delay a quick determination of the question a definite court ruling on the matter was essential.

Mr. Undermyer declined to comment on the new development yesterday except to repeat his warning, expressed in his opinion filed with the committee, that in no circumstances should tenants pay any increased rentals beginning to-day. They should demand bills of particulars in every case where an increase is asked, then pay at the old rate until such time as the court determines in a test case just what constitutes a fair return for the landlord.

Attention was also directed to the fact that owners of property constructed under the tax exempt provision of the Lockwood rent and housing legislation must apply for exemption on their property before November 1.

## HEAVIEST AIR BOMB DIGS 100 FOOT CRATER

Destructiveness Shown at  
Army Proving Ground.

ABERDEEN, Md., Sept. 30.—A crater 100 feet in diameter and 25 feet deep was blown into the earth at the army proving grounds here to-day by a bomb weighing 4,300 pounds dropped from an altitude of 4,100 feet. This was the result of the first test of a new aerial bomb, the heaviest and probably the most destructive ever constructed. It was dropped from a Handley-Paige airplane equipped with a device for carrying and releasing the projectile.

Army and navy officers who witnessed the test from an elevated platform 1,500 feet from the spot chosen for the trial expressed satisfaction with the result. They suffered no ill effects from the terrific concussion.

Capt. Norbert Carolin piloted the plane on its perilous undertaking, accompanied by Sergeant Stewart Smink and Corporal Louis Averitt as bombers.

**COURT TO TEST MENTALITY.**

The Domestic Relations Court has established a bureau for the examination of mentality of persons summoned before it under Dr. M. F. Gregory, head of the psychiatric department of Post Graduate Hospital and the psychopathic department of Bellevue Hospital, according to an announcement made yesterday by Chief Magistrate William McAdoo.

**HARVEST HOME FESTIVAL.**

The third annual harvest home festival of the Hamilton Community Council will be held to-day in the Carmanville playground, Amsterdam avenue and 131st street. Mayor Hylan, Henry H. Curran, fusion candidate for Mayor, and other candidates have accepted invitations to visit the celebration. The Police Band will play and the Police Glee Club will sing.

## POST OFFICE CHANGE HAS ONE LONE FOE

One Hundred Others at Hearing  
Favor Removal From  
City Hall Park.

URGED BY EX-GOV. SMITH

Hylan, Craig and Curran to  
Confer on Plan With Citizens'  
Committee.

A public hearing was held yesterday by the Board of Estimate on the subject of an exchange of sites between the Federal Government and the city whereby the old post office building opposite City Hall would be torn down and a new one erected on part of the new court house site. About a hundred persons who favored the project attended the hearing, as well as one man, Dr. Henry W. Berg, who opposed it.

At the end of the hearing the Mayor, at the suggestion of former Gov. Smith, appointed a committee consisting of Comptroller Craig, Henry H. Curran, President of the Borough of Manhattan, and himself to confer with the citizens' committee appointed by the Postmaster-General to consider improvements in postal facilities. Postmaster Morgan and William F. Morgan, president of the Merchants Association, and ex-Gov. Smith were all present to register approval of the plan.

Dr. Berg, who said he represented a taxpayers' organization of 7,000 members, asserted that the cost of the exchange and demolition would be great. He contended that the site was worth fifteen or twenty millions and the building itself could not be duplicated for \$15,000,000.

Ex-Gov. Smith argued that the change would be greatly to the advantage of the city. He said the army engineers who had examined the Federal Building had found it wholly inadequate, and emphasized the fact that the Federal Government was paying rent of judges' chambers in the Woolworth Building. The municipal Government has been lax in providing suitable surroundings for city buildings, Gov. Smith said.

"We must protect this site down here," he declared. "You might say dispose of this whole property for \$50,000,000 and then move the City Hall over to Baxter street, behind the new court house. It's a business proposition and should be taken advantage of. Within a short time you will probably have an application for a State building on a part of the site in Centre street. Whether we like it or not Congress is going to return to us that piece of land on which the old Post Office stands."

Representative Albert B. Rossdale also spoke in favor of the plan. Mr. Curran and Mayor Hylan met face to face at the board meeting for the first time since Mr. Curran became the coalition standard bearer. The nominees for the Mayorality sat side by side and no explosion resulted. Mayor Hylan took opportunity of asking where Mr. Curran was at the end of the roll call because he was not in his seat, and directed the calling of the roll once more.

**COAL DEALER FINED.**  
Harry Page, a retail coal dealer, paid a fine of \$100 in the Court of Special Sessions, Brooklyn, yesterday for selling two tons of coal short weight to Thomas Leono of 514 Marcy avenue, Brooklyn, on May 23 last. The coal was 300 pounds less than it should have been.

## HYLAN RAN AHEAD OF PRIMARY TICKET

Official Canvass of Votes  
Shows 147,835 Ballots  
for the Mayor.

G. O. P. TOTAL 175,699

Curran Got 103,313—Craig  
Was 9,865 Behind City's  
Executive.

Figures showing the official canvass of the primary vote were made public by the Board of Elections yesterday. They showed that, although there was no contest for the Mayorality nomination in the Democratic party, John F. Hylan received 147,835 votes. The total vote cast for Mayor in the Republican primaries for the four candidates was 175,699.

Charles L. Craig, also unopposed in the Democratic primaries, got 137,570 votes for Comptroller, while Murray Hulbert, Democratic candidate for President of the Board of Aldermen, got even less, 136,425 to be exact.

The total official vote cast for the Republican Mayorality aspirants follow: Henry H. Curran, 103,313; F. H. La Guardia, 38,145; Reuben L. Haskell, 29,522; William M. Bennett, 4,719.

The vote in the Republican Comptrollership race was: Charles C. Lockwood, 136,595; Morris Schechter, 21,304. In the contest for the nomination for President of the Board of Aldermen the official vote was: Vincent Gilroy, 114,650; John J. Halligan, 21,834; L. Barton Case, 19,050.

The vote by counties on the Mayorality nominations follow:

**NEW YORK.**

Democratic. Republican.  
Hylan ..... 47,383 Curran ..... 42,005  
Bennett ..... 1,502  
Haskell ..... 3,208  
La Guardia ..... 12,834

**COMPTROLLER.**

Democratic. Republican.  
Craig ..... 44,501 Lockwood ..... 47,567  
Schechter ..... 4,999

**PRESIDENT BOARD OF ALDERMEN.**

Democratic. Republican.  
Hulbert ..... 44,204 Gilroy ..... 43,230  
Halligan ..... 4,433  
Case ..... 4,962

**KINGS.**

**MAYOR.**

Democratic. Republican.  
Hylan ..... 37,011 Bennett ..... 2,106  
Curran ..... 37,025  
Haskell ..... 21,799  
La Guardia ..... 14,130

**COMPTROLLER.**

Democratic. Republican.  
Craig ..... 35,283 Lockwood ..... 37,180  
Schechter ..... 10,870

**PRESIDENT BOARD OF ALDERMEN.**

Democratic. Republican.  
Hulbert ..... 34,714 Gilroy ..... 45,635  
Halligan ..... 12,869  
Case ..... 8,806

**THE BRONX.**

**MAYOR.**

Democratic. Republican.  
Hylan ..... 25,063 Curran ..... 10,854  
Bennett ..... 1,555  
Haskell ..... 1,919  
La Guardia ..... 7,580

**COMPTROLLER.**

Democratic. Republican.  
Craig ..... 22,292 Lockwood ..... 14,239  
Schechter ..... 3,741

**PRESIDENT BOARD OF ALDERMEN.**

Democratic. Republican.  
Hulbert ..... 21,997 Gilroy ..... 12,633  
Halligan ..... 2,205  
Case ..... 2,596

## GIVE WIFE SIX-EIGHTHS OF PAY, COURT RULES

Magistrate Decides Case on  
Basis of Own Experience.

Walter Woerner of 33 Frankfort street, Astoria, Queens, was before Magistrate John Kochendorfer in the Flushing Police Court yesterday, charged with failing properly to support his wife. His attorney told the Magistrate that Woerner was able to pay his wife only \$7 a week.

"He can only pay this amount," the lawyer said, "because he has to pay \$15 a week for his own room and board."

"How do you figure that a wife can support herself on \$7 a week when the husband must have \$15?" asked the Magistrate. "I earn \$8,000 a year and I give \$6,000 to my wife. I have always maintained this relative ratio, and it has resulted in a happy home. That is what your client will have to do."

Magistrate Kochendorfer adjourned the case indefinitely to give Woerner a chance to arrange matters with his wife on this basis.

**MISS RANKIN TO SPEAK.**

Jeannette Rankin of Montana, the first woman ever elected to Congress, will be the principal speaker at a meeting of unemployed women in Union square this afternoon. The former attempt made by Miss Rankin to get unemployed women together was hardly a success, as only two turned up.

**ARMY AND NAVY CLUB OPEN.**

The new Army and Navy Club of America will be opened informally for members only to-day. A reception will be held from 10 A. M. until midnight in the remodeled building at 112 West Fifty-ninth street. Officers are requested to wear uniforms.

## HITS BLIND WIFE ON NOSE.

Terry O'Donnell Is Remanded to  
Jail for Sentence.

Guilty of hitting his blind wife on the nose—"about the meanest offense ever brought before me," Magistrate Hattling said—Terry O'Donnell, 32, 124 West Twenty-first street, was remanded to jail from Jefferson Market court yesterday, pending sentence.

Mrs. O'Donnell was led into court by a neighbor and testified her husband had struck her several times in the face. She showed bruises. O'Donnell had nothing to say for himself.

Mr. John Doe  
Moving from ..... St.  
to ..... St. Ice wanted

If you're moving on or before October 1st just fill in name, old and new address and day Knickerbocker Ice is wanted and mail to Knickerbocker's new address—Liggett Bldg., 41 East 42nd Street, or telephone Murray Hill 2127.

Knickerbocker moved because more room was needed to take care of constantly increasing business. The offices are now all on one floor. This means the keeping up of "Service so regular you can almost set your clock by the driver's arrival."

**Knickerbocker  
ICE  
Company**

BROADWAY

**Saks & Company**

at 34th STREET

We Shall Place on Sale To-day  
A LIMITED QUANTITY OF

## Men's Knit Fabric Topcoats

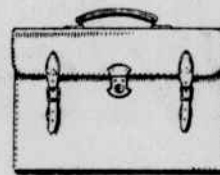
—the best all-around topcoats made—

At 29.50



WE were the first to introduce the knit topcoat, and still feature the greatest variety of models and the best values! These at 29.50 are in set-in sleeve models with large patch pockets, tailored with the usual Saks thoroughness in knit fabrics that are as soft as down. Obtainable in the most wanted heather shades and Oxford gray.

Fifth Floor



Genuine Cowhide  
Brief Cases  
3.95

Not cheaply constructed brief cases, but well made, plain and hand-boarded cowhide brief cases that will give lasting, satisfying service. Sizes 11 x 16, in brown, tan, mahogany and black.

Street Floor



MEN'S  
Dress Oxfords  
7.75

Made over a very graceful last and finished with great care. Obtainable in patent coltskin and dull gun metal leather.

Same model—for youths  
—in patent coltskin

6.75

Fifth Floor

## Mallory Hats

—Soft Hats and Derbies—

5.00 and 6.00

Exclusive styles, designed especially for and sold only by Saks & Company. In draughting the models we had the requirements of the man of Metropolitan life constantly in mind, and the materials are of the usual high standard maintained for a century by Mallory.

Street Floor

MEN'S  
Imported and  
Domestic Caps

—to close out—

1.85

There are all sizes in the collection, but not every size in each color

Dozens of styles, for golfing, motoring and street wear, made of very fine quality English wool plaids, checks, novelty chevrons, herringbone weaves, and plain color cloths, lined with quilted silk.

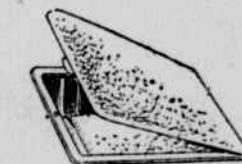
Street Floor

MEN'S

Imported Linen  
'Kerchiefs, 25c

Fine hemstitched linen handkerchiefs at a very low price.

Street Floor



London-Made  
Leather Golf  
Cigarette Cases  
2.95

The very latest cigarette case in use. Made in England of genuine pigskin and Morocco leathers, and will hold twenty cigarettes comfortably, and without the least danger of crushing. Tan and black.

Men's English

Tobacco Pouches  
2.95

Soft, pliable pouches of velvet calfskin, rubber lined to keep tobacco moist.

Street Floor

MEN'S

Golf Oxfords  
9.00

A splendid all-around sports oxford in smart two-tone combination of elkskin with tan calf. Very smart and finished in the most expert manner. Sole and wedge heel are of ribbed rubber.

Fifth Floor

Men's African Capeskin  
Gloves, 1.95

In the much wanted cordovan shade—the most serviceable of all Fall colors. Prix seam sewn.

Street Floor

Men's Scotch Golf  
Hose, 3.95

Fine Scotch hose made of a medium weight all wool yarn. Heathers, lavats and grays with jacquard tops.

Street Floor

## To Get Borden's Grade A Milk

Just phone  
Cortlandt 7961.

Ask for the Service  
Department, and place  
your order—it will be  
put into immediate  
operation.

**BORDEN'S**  
Farm Products Co., Inc.  
Cortlandt 7961.

## 5.95 Wonder Hats

Every one new and charming—a  
joy to behold, and a joy to wear!

Decidedly swagger are tailored felts that are ready to become close companions to your tailored or sports costume, speaking of brisk walks and bracing weather in every dashing line. Equally effective are draped and embroidered duvetyn Hats that lend soft becomingness to the face, and subtle richness to the costume. And there are, besides, a host of striking velvet hats in so many variations, you have but to choose!

Third Floor

Broadway **Saks & Company** at 34th Street